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Letter from the Chairperson of the Committee on Economic, Social and Cultural Rights to the President of the Economic and Social Council

On 2 December 1998, the Acting President of the Economic and Social Council, in his letter addressed to the Chairperson of the Committee on Economic, Social and Cultural Rights, informed the Committee of Council decision 1998/293 of 31 July 1998 by which the Committee was invited by the Council to provide updated information on several requests (draft decisions I–IV) recommended by the Committee during its sixteenth session, in 1996.

At its twentieth session, held in Geneva from 26 April to 14 May 1999, the Committee on Economic, Social and Cultural Rights, in response to Economic and Social Council decision 1998/293, reconsidered its requests from the sixteenth session in 1996. After careful discussion, the Committee resolved to proceed further with only one request, to which it accords highest priority, the details of which are set out in the present letter and the draft decision contained in the annex. Accordingly, I should be most grateful if this letter and its annex were circulated as a document of the Council under item 14 (h) of the provisional agenda for its substantive session of 1999.

At its twentieth session, the Committee decided to invite the Economic and Social Council to approve an additional regular session to be held in New York. Upon consideration of this request, I would be most grateful if it took the following matters into account.

1. The Vienna Declaration and Programme of Action (June 1993) emphasizes the indivisibility and interdependence of all human rights, a theme which recurred throughout last year's commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights. The Committee notes with satisfaction that the Commission on Human Rights, at its most recent sessions, has embarked on initiatives in the field of economic, social and cultural rights, most notably the appointment of a Special Rapporteur on the right to education, which reflect the indivisibility and interdependence of human rights. Moreover, the Office of the United Nations High Commissioner for Human Rights is now giving more attention to economic, social and cultural rights than ever before. Nonetheless, although

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these developments represent genuine progress, much remains to be done before it can be said that economic, social and cultural rights enjoy the equal treatment envisaged by the Universal Declaration of Human Rights.

2. Given its central role in the promotion and protection of economic, social and cultural rights, the renewed interest in these rights inevitably places a heavy responsibility upon the Committee on Economic, Social and Cultural Rights. For example, arising from its obligation to monitor State parties' implementation of the International Covenant on Economic, Social and Cultural Rights, the Committee has, *inter alia*, a duty to clarify the scope of the Covenant's provisions and to reach out to specialized agencies of the United Nations system and programmes, as expressly anticipated in part IV of the Covenant.

3. In the meantime, however, the number of States parties to the Covenant continues to increase. Today, the Covenant has 139 States parties, almost double the number existing when the Committee was established by the Economic and Social Council in May 1985 (Council resolution 1985/17 of 28 May 1985). Under the current arrangements of two three-week sessions each year, the Committee is able to consider no more than 10 reports annually and, inevitably, a substantial backlog of reports now awaits the Committee's consideration, which will take up to three years to clear on the basis of existing arrangements. In short, current meeting arrangements provide the Committee with insufficient time to discharge its responsibilities under the International Covenant on Economic, Social and Cultural Rights and Council resolution 1985/17 in an efficient and timely manner.

4. It should be emphasized that the backlog places an additional burden on States parties which are obliged to provide a considerable amount of updated information to the Committee; further, it jeopardizes the reporting process which remains the cornerstone of the entire international human rights monitoring system. In this regard, may I remind the Economic and Social Council that the Committee has already adopted a range of procedural reforms designed to improve and expedite its reporting arrangements.

5. In all these circumstances, the Economic and Social Council is respectfully invited to approve an additional regular session of the Committee on Economic, Social and Cultural Rights, so that it may discharge its responsibilities in an efficient and timely manner.

6. Although the resolution by which the Committee on Economic, Social and Cultural Rights was originally established provided that its sessions would alternate between Geneva and New York, so far the Committee has not yet held any session in New York.

7. In the Committee's view, there is a need to make its activities and concerns better known and more accessible to a wider range of participants, such as exists in New York, where there are larger governmental delegations, a more diverse range of non-governmental organizations, more extensive worldwide media and a greater number of international agencies.

8. Moreover, the Committee notes that one annual session of the Human Rights Committee is held in New York and that this has contributed very significantly to improving the profile and prominence of the work of that Committee.

9. In all these circumstances, the Economic and Social Council is respectfully invited to approve an additional regular session of the Committee on Economic, Social and Cultural Rights, to be held in New York, beginning in 2000.

In conclusion, the Committee's proposal for an additional regular session to be held in New York is driven by a commitment to the interdependence and indivisibility of all rights, as well as a recognition of the renewed interest in economic, social and cultural rights which is evident in the work of the United Nations human rights system.

(*Signed*) Virginia **Bonoan-Dandan**
Chairperson
Committee on Economic, Social and Cultural Rights

Annex

Draft decision recommended by the Committee on Economic, Social and Cultural Rights at its twentieth session for adoption by the Economic and Social Council

Draft decision I

Additional regular session of the Committee on Economic, Social and Cultural Rights

The Economic and Social Council, concerned that existing meeting arrangements for the Committee on Economic, Social and Cultural Rights no longer permit it to fully discharge its responsibilities under the International Covenant on Economic, Social and Cultural Rights and Council resolution 1985/17 in an efficient and timely manner, and noting that the effectiveness and profile of the work of the Committee will be further enhanced by holding one of its annual sessions in New York on a regular basis, approves the holding of one additional three-week session of the Committee, as well as a pre-sessional working group of one week's duration, in New York, beginning in 2000.